

Statement Of The Substance Of The Interview

On August 01, 2007, Thomas Lees on behalf of the applicants conducted a telephone interview with Examiner Phillips. Thanks to the Examiner once again, for the time and consideration during the telephone interview. No demonstrations were utilized. Additionally, no exhibits were transmitted to the Examiner. An unofficial proposed claim amendment was transmitted along with the request for interview, which was submitted to the Examiner prior to the August 01, 2007 interview date.

During the interview, the rejection of claim 1 under 35 U.S.C. §102(e) and the unofficial proposed amendment to claim 1 were discussed in general terms. Moreover, the disclosure of U.S. Pat. Pub. No. 2002/0129127 to Romero et al. (hereinafter, '*Romero*') was discussed with reference to the unofficial proposed claim amendment. The thrust of the Examiner's arguments was analogous to those set out in the Office action dated April 18, 2007.

The thrust of the applicants' arguments was that *Romero* fails to disclose, teach or suggest obtaining the configuration files from each of the plurality of servers, wherein the configuration files are obtained by repeating for each of the plurality of servers: selecting by the load balancer, a next one of the plurality of servers, sending a request across a corresponding network from the load balancer to the next one of the plurality of servers, receiving either a corresponding configuration file or an error message from the next one of the plurality of servers and validating parameters in the corresponding configuration file if received. *Romero* further fails to disclose, teach or suggest configuring a load balancing algorithm by the load balancer in accordance with the parameters that were read out of each corresponding configuration file, as set out in the unofficial proposed claim amendment. Further details of the thrust of the applicants' arguments are substantially as set out in the remarks section of this paper.

The Examiner agreed that the unofficial proposed claim language defined over the cited art, *Romero*. The Examiner further indicated that an updated search would have to be performed. No agreements were otherwise reached between the parties.